

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	Chapter 11
	§	
SERTA SIMMONS BEDDING, LLC, <i>et al.</i>,	§	Case No. 23-90020
	§	
Debtors.¹	§	(Jointly Administered)
	§	
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SERTA SIMMONS BEDDING, LLC, <i>et al.</i>,	§	Adversary Proc. No. 23-09001
	§	
Plaintiffs,	§	
	§	
v.	§	
	§	
AG CENTRE STREET PARTNERSHIP, <i>et al.</i>,	§	
	§	
Defendants.	§	
	§	
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**ORDER AUTHORIZING
PTL LENDERS TO FILE THEIR PRE-TRIAL MEMORANDUM
OF LAW CONTAINING CONFIDENTIAL INFORMATION UNDER SEAL**

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Dawn Intermediate, LLC (6123); Serta Simmons Bedding, LLC (1874); Serta International Holdco, LLC (6101); National Bedding Company L.L.C. (0695); SSB Manufacturing Company (5743); The Simmons Manufacturing Co., LLC (0960); Dreamwell, Ltd. (2419); SSB Hospitality, LLC (2016); SSB Logistics, LLC (6691); Simmons Bedding Company, LLC (2552); Tuft & Needle, LLC (6215); Tomorrow Sleep LLC (0678); SSB Retail, LLC (9245); and World of Sleep Outlets, LLC (0957). The Debtors' corporate headquarters and service address for these chapter 11 cases is 2451 Industry Avenue, Doraville, Georgia 30360.

Upon the motion dated May 14, 2023 (the “**Motion**”) of Invesco Senior Secured Management, Inc., Boston Management and Research, Eaton Vance Management, Credit Suisse Asset Management, LLC, and Barings, LLC (together, the “**PTL Lenders**”)² for authorization to file their pre-trial brief under seal, as more fully set forth in the Motion; and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motions having been provided; and such notice having been adequate and appropriate under the circumstances, and it appearing that no other or further notice need be provided; and this Court having reviewed the Motion; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT

1. The PTL Lenders are authorized, pursuant to sections 105(a) and 107(b) of the Bankruptcy Code, to file their pre-trial brief (the “**Brief**”) under seal.
2. The Brief shall remain confidential, shall remain under seal, and shall not be made available to anyone, except that the PTL Lenders are authorized to cause the unredacted version of the Brief to be served on and made available, on a confidential basis and professionals’ eyes only basis, to: (a) the Court; (b) the U.S. Trustee; and (c) any other party as may be ordered by the Court or agreed to in writing by the PTL Lenders under appropriate confidentiality agreements

² References to “PTL Lenders” include both the Lender Plaintiffs-Counterclaim Defendants, as well as the Additional Counterclaim Defendants that have responded to Counterclaim Plaintiffs’ counterclaims (the “Represented Additional Counterclaim Defendants”), *see* ECF Nos. 217 & 220.

reasonably satisfactory to the PTL Lenders, that preserve the confidentiality of the Brief (and any information derived therefrom).

3. Any party authorized to receive the unredacted version of the Brief shall be authorized and directed, subject to Bankruptcy Local Rule 9037-1, to file the Brief under seal rather than on the public docket maintained in these chapter 11 cases, if such party intends to file the Brief.

4. Any party who receives the Brief in accordance with this Order shall not disclose or otherwise disseminate this information to any other person or entity, including in response to a request under the Freedom of Information Act without the prior written consent of the PTL Lenders.

5. The requirements set forth in Bankruptcy Local Rule 9013-1 and Bankruptcy Local Rule 9037-1 are satisfied by the contents of the Motion.

6. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion.

7. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

8. The PTL Lenders are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion

Dated: _____, 2023

Houston, Texas

DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE